

MMS:JMH
F. #2015R2053

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

16-98M

UNITED STATES OF AMERICA

- against -

SASHA HONORE,
MARDOCHE PETITPHARE and
RAYVAUGHN WILLIAMS,

Defendants.

- - - - -X

TO BE FILED
UNDER SEAL

COMPLAINT AND
AFFIDAVIT IN
SUPPORT OF AN
ARREST WARRANT

(18 U.S.C. §§ 2, 924(c)(1)(A)(ii),
1951, 2119)

EASTERN DISTRICT OF NEW YORK, SS:

AYESHA R. WINSTON, being duly sworn, deposes and states that she is a
Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("the ATF"),
duly appointed according to law and acting as such.

On or about October 16, 2015, within the Eastern District of New York, the
defendants SASHA HONORE and MARDOCHE PETITPHARE, together with others, did,
with intent to cause death or serious bodily harm, take a motor vehicle that had been
transported, shipped, or received in interstate or foreign commerce from the person or presence
of another, to wit: Victim-1, whose identity is known to the Affiant, by force and violence or by
intimidation.

(Title 18, United States Code, Sections 2119 and 2).

On or about October 16, 2015, within the Eastern District of New York, the
defendants SASHA HONORE and MARDOCHE PETIPHARE, together with others, did

knowingly and intentionally use and carry a firearm during and in relation to crimes of violence, to wit: the carjacking on October 16, 2015, referenced above.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2).

On or about November 16, 2015, within the Eastern District of New York, the defendants MARDOCHE PETITPHARE and RAYVAUGHN WILLIAMS did knowingly and intentionally attempt to obstruct, delay and affect commerce, and the movement of articles and commodities in commerce, to wit: currency, by robbery, while brandishing a firearm.

(Title 18, United States Code, Sections 1951 and 2).

On or about November 16, 2015, within the Eastern District of New York, the defendants MARDOCHE PETIPHARE and RAYVAUGHN WILLIAMS did knowingly and intentionally use and carry a firearm during and in relation to crimes of violence, to wit: the attempted robbery on November 16, 2015, referenced above.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2).

On or about November 17, 2015, within the Eastern District of New York, the defendant MARDOCHE PETITPHARE, together with others, did, with intent to cause death or serious bodily harm, take a motor vehicle that had been transported, shipped, or received in interstate or foreign commerce from the person or presence of another, to wit: Victim-4, whose identity is known to the Affiant, by force and violence or by intimidation.

(Title 18, United States Code, Sections 2119 and 2).

On or about November 17, 2015, within the Eastern District of New York, the defendant MARDOCHE PETIPHARE, together with others, did knowingly and intentionally

use and carry a firearm during and in relation to crimes of violence, to wit: the carjacking of Victim-4 on November 17, 2015, referenced above.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2).

The source of your deponent's information and the grounds for her belief are as follows:¹

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives ("the ATF"). I have been an ATF Special Agent for approximately 11 years. I have been involved in the investigation of numerous cases involving the illegal use of firearms, robbery, and carjackings. I have participated in investigations involving search warrants and arrest warrants. As a result of my training and experience, I am familiar with the techniques and methods of operation used by individuals involved in criminal activity to conceal their activities from detection by law enforcement authorities.

2. I have personally participated in the investigation set forth below. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendants' criminal history records; and from reports of other law enforcement officers involved in the investigation.

3. The ATF is investigating a series of robberies and related carjackings that took place in Brooklyn, New York, in October and November 2015.

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

The October 16, 2015 Carjacking

4. On October 16, 2015, three unidentified males entered a livery taxi ("Automobile-1") driven by Victim-1. One of the males sat in the front seat, and brandished a firearm. One of the males told Victim-1 to exit Automobile-1, and Victim-1 exited Automobile-1. The three males fled in Automobile-1, which they later abandoned.

5. Victim-1 later identified a photograph of the defendant SASHA HONORE as depicting one of the three males who had carjacked Victim-1, specifically the male who had brandished the firearm. Victim-1 later confirmed the identification of the defendant SASHA HONORE by identifying HONORE in a lineup.

6. The NYPD recovered Automobile-1 and subjected it to a forensic examination. NYPD technicians obtained a latent fingerprint which was analyzed and found to match an NYPD record of MARDOCHE PETITPHARE's fingerprints. Victim-1 later identified the defendant MARDOCHE PETITPHARE in a photo array as another one of the three males who had carjacked Victim-1.

The November 16, 2015 Attempted Robbery of a McDonalds Restaurant

7. At approximately 10:30 p.m. on November 16, 2015, a surveillance camera located at 3549 Nostrand Avenue in Brooklyn recorded two males enter the lobby. One male ("UM-1") was wearing what appeared to be a white sweatsuit. The second male ("UM-2") was wearing what appeared to be dark adidas-brand sweatpants.

8. At approximately 10:45 p.m. on November 16, 2015, a surveillance camera located at 3549 Nostrand Avenue in Brooklyn recorded the same two males in the lobby. UM-1 had changed into a dark-colored and hooded sweatshirt with a distinctive white

emblem above the left breast. UM-2 was still wearing the dark adidas-brand sweatpants, and had put on a red sweatshirt.

9. Over the next several minutes, UM-1 and UM-2 were recorded by surveillance cameras at multiple buildings in the area walking from 3549 Nostrand Avenue towards a McDonalds restaurant located at 3540 Nostrand Avenue. UM-1 can be observed entering the McDonalds. UM-2 can be observed acting as a lookout and pacing back and forth across the street from the McDonalds while UM-1 is inside the McDonalds restaurant.

10. UM-1 was recorded on surveillance cameras located inside the McDonalds approaching the counter. Based on those recordings, and upon witness statements, UM-1 displayed a small black firearm to the counter attendant ("Victim-2"), and stated: "empty the register." Victim-2 stated that he did not have a register key. UM-1 responded: "You don't want to die today." Another employee ("Victim-3") stated to the individual with the firearm: "wait one second." Victim-2 and Victim-3 retreated to the rear of the restaurant and called 911. UM-1 fled.

11. Surveillance footage from a nearby public housing facility recorded UM-1 meeting up with UM-2 moments after the attempted robbery of the McDonalds in the vicinity of 3549 Nostrand Avenue. They then entered the lobby of 3549 Nostrand Avenue.

12. Over the course of the next several minutes, UM-1 and UM-2 were recorded on surveillance footage proceeding roughly eastward from 3549 Nostrand Avenue for approximately two blocks, before entering 3062 Avenue V and remaining inside for approximately one minute. They then exited that location and retraced their steps back

towards the McDonalds restaurant, ultimately re-entering the building located at 3549 Nostrand Avenue. At one point during their return to 3549 Nostrand Avenue, they can be seen running.

13. Surveillance footage from 3549 Nostrand Avenue taken moments after UM-1 and UM-2 re-entered that building clearly depicts their faces. In an effort to identify UM-1 and UM-2, NYPD investigators extracted a still image from the surveillance footage and disseminated it to the media.

14. An anonymous tip to the NYPD's "Crimestoppers" telephone hotline identified UM-2 as the defendant MARDOCHE PETITPHARE. I have subsequently compared a booking photograph associated with a prior arrest of PETITPHARE against the still image of UM-2 described above and it is my opinion that PETITPHARE is UM-2.

15. UM-1 was later identified as the defendant RAYVAUGHN WILLIAMS, as follows. A review of law enforcement databases revealed that PETITPHARE has a number of past criminal associates, including, but not limited to, RAYVAUGHN WILLIAMS. One of my colleagues learned that WILLIAMS was on parole from New York state charges, and contacted WILLIAMS' assigned Parole Officer from the New York State Department of Corrections and Community Supervision. This Parole Officer reviewed the still image described above, and the video recording from which the still image was extracted, and confirmed that UM-1 was RAYVAUGHN WILLIAMS.

16. I know from my training and experience that McDonalds restaurants, such as the one in operation at 3540 Nostrand Avenue, routinely purchase goods in interstate commerce, and that if the robbery had been successful, any money taken by WILLIAMS would have impacted interstate commerce.

The November 17, 2015 Carjacking

17. Shortly before 12:20 a.m. on November 17, 2015, that is, shortly after the attempted robbery of the McDonalds restaurant described above, a car service received a call requesting that a livery taxi be dispatched to 3549 Nostrand Avenue (that is, the location across the street from the McDonalds). The car service assigned the call to "Victim-4," a livery taxi driver, to this pickup.

18. At approximately 12:20 a.m., Victim-4 arrived at 3549 Nostrand Avenue in a livery taxi ("Automobile-2").

19. Two males entered Automobile-2. One male sat in the front passenger seat, and the other male sat in the backseat. One of the individuals directed Victim-4 to transport them to 642 East 23rd Street in Brooklyn.

20. When Automobile-2 arrived at 642 East 23rd Street, the male in the front seat displayed a black firearm, and stole cash, a wallet, and a cellular telephone from Victim-4. Victim-4 was removed from Automobile-2 and the two males fled the scene in Automobile-2.

21. The phone number used to make the call to the livery service referenced above was identified by the car service as (347) 786-7938 (“the 7938 Number”). The ATF learned that the 7938 Number is a telephone service provided by Ooma, Inc., via a mobile telephone Internet application called “Talkatone.” According to the public Talkatone website, the application permits users to make and receive voice calls, and to send and receive instant messages, as well as other services, via the application. Based on ATF’s review of Ooma’s records, I also know that Ooma maintains a log of “Internet Protocol” (“IP”) addresses (“the Ooma IP Log”) used to connect the Talkatone application to the Internet when the Talkatone application is in use.²

² The Internet is a global network of computers and other devices. Devices directly connected to the Internet are identified by a unique number called an Internet Protocol, or “IP” address. This number is used to route information between devices. Generally, when one device requests information from a second device, the requesting device specifies its own IP address so that the responding device knows where to send its response. An IP address is analogous to a telephone number and can be recorded by a service provider (such as Ooma), and it indicates the online identity of the communicating device without revealing the communication’s content.

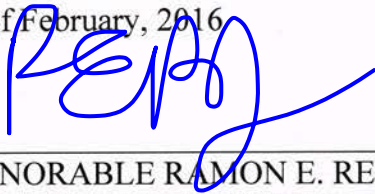
22. On or about January 6, 2016, the NYPD arrested PETITPHARE in connection with a separate criminal matter. He was advised of his Miranda rights and agreed to speak with law enforcement officers. In response to pedigree questioning, PETITPHARE stated to me that the 7938 Number was his telephone number.

WHEREFORE, your deponent respectfully requests that the defendants SASHA HONORE, MARDOCHE PETITPHARE and RAYVAUGHN WILLIAMS be dealt with according to law.



AYESHA R. WINSTON
Special Agent,
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Sworn to before me this
5th day of February, 2016



THE HONORABLE RAMON E. REYES, JR.
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK